

Appl. No. 09/744,267
Docket No. CM1882
Amtd. dated June 17, 2008
Reply to Office Action Dated March 18, 2008
Customer No. 27752

REMARKS

Claim Status

Claims 1, 4 – 6, and 8, are pending in the application. Claim 1 has been amended. Support for this amendment is available in the specification as filed at page 24, lines 5 – 6.

Rejection Under 35 U.S.C. § 102 Over Leurentop

Claims 1, 4 – 6, and 8 have been rejected under 35 U.S.C. § 102(b) as being unpatentable over WO 98/12295 hereinafter “Leurentop”. Applicants respectfully disagree because Leurentop fails to anticipate Claim 1 because it does not disclose each and every element of the present invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631 (Fed. Cir. 1987); see MPEP 2131.

Claim 1 now recites “from 0.001% to 20 % of a scum reducing agent comprising a polyoxyalkylene alkyl amine surface active agent.” Applicants submit that Leurentop fails to disclose the polyoxyalkylene alkyl amine surface active agent of the present invention. At best, Leurentop discloses that fatty acid - diamine condensates can be incorporated into the Leurentop composition as dye fixing agents (see Leurentop at page 5, lines 18 – 20); and that the polyamine backbone of the amino-functional polymer can have an oxidized nitrogen (see Leurentop at page 6, lines 5 – 9; see also Leurentop page 10, line 16 – 20, page 11, line 5 – 8, and 21 – 23). Leurentop, however, fails to disclose the polyoxyalkylene alkyl amine surface active agent of the present invention. Moreover, Leurentop fails to teach or suggest modifying any of its components to arrive at the scum reducing agent of a polyoxyalkylene alkyl amine surface active agent of the present invention. As such, Leurentop fails to anticipate or make obvious presently recited Claim 1 and all claims dependant therefrom. Applicants respectfully request this rejection to be withdrawn and the claims be allowed.

All claims are believed to be in condition for allowance. Should the Examiner disagree, Applicants respectfully invite the Examiner to contact the undersigned attorney for Applicants to arrange for a telephonic interview in an effort to expedite the prosecution of this matter.

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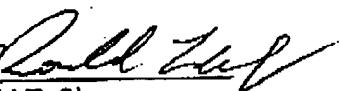
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CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested. No fee is believed to be due for the amendments herein. Should any fee be required, please charge such fee to Proctor & Gamble Deposit Account No. 16-2480.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 

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Dated: June 17, 2008
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